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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/045,745	KUMBALIMUTT ET AL.
	Examiner	Art Unit	
	Victor Lesniewski	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 November 2001_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-36_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-36_ is/are rejected.

7)☒ Claim(s) _15_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _8/29/2002_.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This application has been examined.

2.   Claims 1-36 are pending.

Information Disclosure Statement

3.   The IDS filed 8/29/2002 has been considered.

Claim Objections

4.   Claim 15 is objected to because of the following informalities:

- The claim lacks a period.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6.   Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7.   Claim 14 recites the limitation "the profile" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim. Nowhere in the claims from which claim 14 depends is there mention of a profile, making the scope of claim 14 unclear.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

9.   Claims 1, 2, 4, 5, 8, 15, 17, 18, 21, 23-25, and 30-35 are rejected under 35 U.S.C. 102(e)

as being anticipated by Giordano, III et al. (U.S. Patent Number 6,370,141), hereinafter referred

to as Giordano.

10.   Giordano has disclosed:

- <Claim 1>

  A method for ensuring that a client computer on a computer network is properly

  configured for real-time communication, the method comprising: monitoring a database

  of the network, wherein the database comprises configuration settings that client

  computers on the network required to engage in real-time communication over the

  network (column 3, lines 52-57); receiving, from the client computer, a request to be

  notified whenever there is a change in the required configuration settings (column 4, lines

  20-22); detecting that a change has occurred in the required configuration settings,

  wherein the change results in new required configuration settings (column 4, lines 16-

  19); and transmitting the new required configuration settings to the client computer

  (column 3, lines 58-60).

- <Claim 2>

  A computer readable medium having stored thereon computer executable instructions for performing the method of claim 1 (column 4, line 66 through column 1, line 16).

- <Claim 4>

  The method of claim 1, wherein the receiving step comprises receiving a document containing mark-up language text that includes the new required configuration settings (column 4, lines 33-39).

- <Claim 5>

  The method of claim 1, wherein the configuration settings include the network address of the server computer that the client computer needs to contact n order to set up a real-time communication session (column 3, lines 45-51).

- <Claim 8>

  The method of claim 1, wherein the client computer is currently configured for real-time communication according to a set of old configuration settings, and wherein the transmitting step comprises transmitting to the client computer changes that are to be made to the old configuration settings in order to derive the new required configuration settings (column 4, lines 16-19).

- <Claim 15>

  A system for facilitating real-time communication in a computer network, the system comprising: a client computer executing one or more programs for performing steps comprising engaging in real-time communication on the computer network (figure 1, item 10); at least one computer-readable medium having stored thereon a database, the

database comprising configuration settings for allowing computers on the computer
network to conduct real-time communication (figure 1, item 24 and column 3, lines 52-
57); a server computer communicatively linked to the client computer, the computer-
readable medium being accessible by the server computer (figure 1, item 16), the server
computer executing one or more programs for performing steps comprising monitoring
the database (column 3, lines 52-57), detecting whether or not a configuration setting on
the database has changed to a new configuration setting (column 4, lines 16-19), and in
response to the detecting step, transmitting the new configuration setting to the client
computer over the computer network (column 3, lines 58-60), wherein, in response to the
transmitting step, the client computer uses the new setting to engage in real-time
communication via the computer network (column 3, lines 12-24)

- <Claim 17>

  The system of claim 15, wherein the one or more programs executing on the client
  computer perform further steps comprising transmitting a request for the latest version of
  the configuration settings to the server computer (column 4, lines 20-22).

- <Claim 18>

  The system of claim 15, wherein the configuration settings include the network address
  of a server that the one or more programs executing on the client should use to engage in
  real-time communication on the network (column 3, lines 45-51).

- <Claim 21>

  A method for configuring a client computer for real-time communication on a computer
  network having a server computer, the method comprising: the client computer

transmitting, to the server computer, a request for the configuration settings that the client

computer needs in order to engage in real-time communication over the computer

network (column 4, lines 20-22); the server computer responding to the request by

transmitting, to the client computer, a document containing the configuration settings

(column 3, lines 58-60); and the client computer automatically reading the document and

implementing the configuration settings (column 3, lines 58-60); and the client computer

engaging in real-time communication using the implemented configuration settings

(column 3, lines 12-24).

- <Claim 23>

   The method of claim 21, wherein the step of the server computer responding to the

   request comprises the server computer transmitting, to the client computer, a

   configuration document containing configuration settings required for the client computer

   to engage in internet telephony (column 3, lines 58-60), wherein the step of the client

   computer automatically reading the document and implementing the configuration

   settings comprises the client computer reading the document and configuring itself to

   engage in internet telephony (column 3, line 67 through column 4, line 10) wherein the

   step of the client computer engaging in real-time communication comprises the client

   computer engaging in internet telephony using the configuration settings (column 3, lines

   12-24).

- <Claim 24>

   The method of claim 21, wherein the step of the client computer transmitting a request

   for the configuration settings comprises the client computer transmitting, to the server

computer, a request for configuration settings that the client computer needs for the

purpose of regulating access to a user by certain other users (column 3, lines 45-51 and

column 4, lines 20-22) wherein the step of the server computer responding to the request

comprises the server computer transmitting, to the client computer, a configuration

document containing the configuration settings that the client computer needs to regulate

access to the user by certain other users (column 3, lines 58-60).

- <Claim 25>

A system for configuring a computer for real-time communication, the system

comprising: a client computer (figure 1, item 10) executing one or more programs for

performing steps comprising: transmitting, to a server computer, a request for

configuration settings required by the client computer to control real-time communication

access to a user of the client computer (column 4, lines 20-22); receiving, from the server

computer, a configuration document that contains the configuration settings (column 3,

lines 58-60), and automatically reading the configuration document, implementing the

configuration settings and controlling access to a user of the client computer based on the

implemented configuration settings (column 3, lines 45-51 and 58-60).

- <Claim 30>

A system for configuring a computer for real-time communication on a computer

network, the system comprising a means for generating, for transmission from a client

computer to a server computer, a request that the client computer be updated whenever

configuration settings that are required by the client computer to engage in real-time

communication have changed (column 4, lines 20-22); a means for monitoring conditions

on the network to determine whether any changes have occurred that would require the

client computer to have new configuration settings in order to engage in real-time

communication over the network (column 3, lines 52-57 and column 4, lines 60-65); and

a means for generating for transmission from the server computer to the client computer,

the new configuration settings as part of a protocol normally used by both the server

computer and the client computer to structure real-time communication between the

client computer and computers with which the client computer communicates (column 3,

lines 58-60).

- <Claim 31>

A method for configuring a program executing on a client computer for real-time

communication on a computer network having a server computer, the method

comprising: the program transmitting, to the server computer, a request for the

configuration settings that the program needs in order to engage in real-time

communication over the computer network (column 4, lines 20-22); the server computer

responding to the request by transmitting, to the program, a document containing the

configuration settings (column 3, lines 58-60); and the program automatically reading the

document and implementing the configuration settings (column 3, lines 58-60); and the

program engaging in real-time communication using the implemented configuration

settings (column 3, lines 12-24).

- <Claim 32>

A method for maintaining configuration settings required to engage in real-time

communication over a computer network, the method comprising: transmitting, to a

server on the network, a request a request to be notified whenever changes are required to

the configuration settings (column 4, lines 20-22); receiving from the server computer, in

response to the request, a document containing updates to the configuration settings

(column 3, lines 58-60); implementing the updates (column 3, lines 58-60); and engaging

in real-time communication one the computer network using the implemented updates

(column 3, lines 12-24).

- <Claim 33>

A computer-readable medium having stored thereon computer-executable instructions for

performing the method of claim 32 (column 4, line 66 through column 5, line 16).

- <Claim 34>

A network device executing one or more programs for performing the method of claim

32 (figure 1, item 10).

- <Claim 35>

A network interface card having executing one or more programs for performing the

method of claim 32 (figure 1, item 10, wherein the client inherently maintains a network

interface in connecting to the Internet).

Since all the limitations of the invention as set forth in claims 1, 2, 4, 5, 8, 15, 17, 18, 21, 23-25,

and 30-35 were disclosed by Giordano, claims 1, 2, 4, 5, 8, 15, 17, 18, 21, 23-25, and 30-35 are

rejected.

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

12.   Claims 6, 7, 14, 16, 19, 20, and 28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Giordano, as applied above, in view of Handley et al. (RFC 2543, SIP: Session

Initiation Protocol), hereinafter referred to as Handley.

13.   Giordano disclosed a method for configuring an Internet compatible telephone using

HTML pages on a website that contain configuration information. In an analogous art, Handley

disclosed a signaling protocol for creating, modifying, and terminating sessions such as Internet

multimedia conferences and Internet telephone calls.

14.   Concerning claim 6 and like claims, Giordano did not explicitly state the use of a

message formatted according to a session initiation protocol. However, SIP was well known in

the art at the time of the applicant's invention as evidenced by Handley. Furthermore, SIP is

defined for networks such as Giordano's that use telephone appliances. It would have been

obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the

system of Giordano by adding the ability to use a message formatted according to a session

initiation protocol as provided by Handley. Here the combination satisfies the need for a more

advanced protocol with session descriptions that allows clients to agree on a set of compatible

media types. See Handley, page 1 of 105, last paragraph.

15.   Concerning claim 16, Giordano did not explicitly state the database as part of a directory

service. However, SIP implements a directory service that can track the layout of the network.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's

invention to modify the system of Giordano by adding the ability to use a directory service

having information as to the layout of the network as provided by Handley. Again the

combination satisfies the need for a more advanced protocol with session descriptions that allows

clients to agree on a set of compatible media types. See Handley, page 1 of 105, last paragraph.

16.   Thereby, the combination of Giordano and Handley discloses:

- <Claim 6>

  The method of claim 1, wherein the transmitting step comprises: inserting the new

  required configuration settings into a message formatted according to a session initiation

  protocol (Handley); and transmitting the message to the client computer (Giordano,

  column 3, lines 58-60).

- <Claim 7>

  The method of claim 6, wherein the inserting step comprises inserting into the message a

  block of mark-up language text that includes the new required configuration setting

  (Giordano, column 4, lines 33-39).

- <Claim 14>

  The method of claim 8, further comprising inserting at least part of the profile into a

  session initiation protocol message in the form of a block of mark-up language text,

  wherein the transmitting step comprises transmitting the session initiation protocol

  message to the client computer (Handley and Giordano, column 4, lines 33-39).

- <Claim 16>

  The system of claim 15, wherein the database is part of a directory service having

  information as to the layout of the network, and wherein the configuration settings are

  based at least in part of the layout of the network (Handley, section 1.4.5).

- <Claim 19>

  The system of claim 15, wherein the one or more programs executing on the server

  computer perform further steps comprising: generating a message formatted according to

  a session initiation protocol (Handley); and including the new configuration setting

  within the message, and wherein the transmitting step comprises transmitting the message

  to the client computer (Giordano, column 3, lines 58-60).

- <Claim 20>

  The system of claim 15, wherein the one or more programs executing on the client

  computer perform further steps comprising generating a message formatted according to

  a session initiation protocol (Handley); inserting a request to obtain the new configuration

  setting into the message; and transmitting the message to the server computer (Giordano,

  column 4, lines 20-22).

- <Claim 28>

  The system of claim 25, further comprising: a server computer executing one or more

  programs performing steps comprising: communicating with the client computer

  according to a session initiation protocol (Handley); and transmitting to the client

  computer, the configuration document as part of a message formatted according to the

  session initiation protocol (Giordano, column 3, lines 58-60).

Since the combination of Giordano and Handley discloses all of the above limitations, claims 6,

7, 14, 16, 19, 20, and 28 are rejected.

17.   Claims 26, 27, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Giordano, as applied above, in view of Rosenberg et al. (An XML Format for Presence Buddy

Lists), hereinafter referred to as Buddy.

18.   Giordano disclosed a method for configuring an Internet compatible telephone using

HTML pages on a website that contain configuration information. In an analogous art, Buddy

disclosed a useful format for tracking presence in a network using buddy lists.

19.   Concerning claim 36 and like claims, Giordano did not explicitly state the use of an

access control list that indicates the extent to which other users may contact an associated user.

However, buddy lists were well known in the art at the time of the applicant's invention as

evidenced by Buddy. It would have been obvious to one of ordinary skill in the art at the time of

the applicant's invention to modify the system of Giordano by adding the ability to use an access

control list that indicates the extent to which other users may contact an associated user as

provided by Buddy. Here the combination satisfies the need for a more flexible network where

users can access their presence services from any machine. See Buddy, page 2 of 9, paragraph 3.

20.   Thereby, the combination of Giordano and Buddy discloses:

*   <Claim 26>

    The system of claim 25 wherein the configuration document contains a list of users and

    an indication of the extent to which each of the users and groups of users is permitted to

    monitor the presence of the user of the client computer (Buddy).

- <Claim 27>

  The system of claim 25, wherein the configuration document contains a list of other users

  and groups of users and an indication of the extent to which each of the users and groups

  of users is permitted contact, via real time communication, the user of the client computer

  (Buddy).

- <Claim 36>

  A method for enabling a client computer to obtain an access control list (Buddy), the

  client computer having at least one associated user, the access control list indicating the

  extent to which other users may contact the associated user, the method comprising:

  transmitting, to a server on the network, a request a request to be notified whenever

  changes are made to the access control list (Giordano, column 4, lines 20-22); receiving

  from the server computer, in response to the request, a document containing updates to

  the access control list (Giordano, column 3, lines 58-60); implementing the updates

  (Giordano, column 3, lines 58-60); and engaging in real-time communication one the

  computer network using the implemented updates (Giordano, column 3, lines 12-24).

Since the combination of Giordano and Buddy discloses all of the above limitations, claims 26,

27, and 36 are rejected.

21.   Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Giordano in view

of Handley, as applied above, further in view of Buddy.

22.   The combination of Giordano and Handley disclosed a method for configuring an

Internet compatible telephone using HTML pages on a website that contain configuration

information and generating messages according to SIP. In an analogous art, Buddy disclosed a

useful format for tracking presence in a network using buddy lists.

23.   The combination of Giordano and Handley did not explicitly state retrieving information

as to the extent to which individuals or groups of individuals are permitted to monitor the

presence of a user on the computer network. However, Buddy clearly defines a buddy list that

offers these features as discussed above in relation to claims 26, 27, and 36. It would have been

obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the

combination of Giordano and Handley by adding the ability to retrieve information as to the

extent to which individuals or groups of individuals are permitted to monitor the presence of a

user as provided by Buddy. Again the combination satisfies the need for a more flexible network

where users can access their presence services from any machine. See Buddy, page 2 of 9,

paragraph 3.

24.   · Thereby, the combination of Giordano, Handley, and Buddy discloses:

- <Claim 29>

   The system of claim 25, further comprising: a server computer (Giordano, figure 1, item

   16) executing one or more programs for performing steps comprising: receiving a first

   message from the client computer, the message including the identity of a user of the

   client computer (Giordano, column 4, lines 20-22); retrieving information as to the extent

   to which individuals or groups of individuals are permitted to monitor the presence of the

   user on the computer network and to contact the user via real-time communication

   (Buddy); transmitting the information to the client computer in the form of mark-up

   language text as part of a second message formatted according to a session initiation

protocol (Giordano, column 4, lines 33-39 and Handley); wherein the one or more

program executed by the client computer perform further steps comprising: transmitting

the first message to the server computer in the form of a session initiation protocol

message (Handley).

Since the combination of Giordano, Handley, and Buddy discloses all of the above limitations,

claim 29 is rejected.

25.   Claims 9-13 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Giordano.

26.   Giordano disclosed a method for configuring an Internet compatible telephone using

HTML pages on a website that contain configuration information. Options or settings of the

telephone are updated by downloading data from HTML pages either automatically or as

directed by the user.

27.   Concerning claim 9, Giordano did not explicitly state a request for a profile from a client

and the transmitting of the profile to the client over the network. However, Giordano did

disclose maintaining user profiles. See column 1, lines 55-60. Giordano's system already stored

the profiles at the client devices, but it would be a clear extension of Giordano's system to store

the profiles at a different place on the network and thus each client would request a profile when

it was needed. Thus it would have been obvious to one of ordinary skill in the art at the time of

the applicant's invention to modify the system of Giordano by adding the ability to request a

profile and transmit the profile to the client over the network. This satisfies the need for ways to

minimize the memory required in client devices when modifying configurations. See Giordano, column 1, line 64 through column 2, line 4.

28.   Concerning claim 12, Giordano did not explicitly state making a video conference call. However, Giordano did disclose a network used for video displays (see column 1, lines 12-17) and video conferencing was well known in the art at the time of the applicant's invention. Thus it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Giordano by adding the ability to make a video conference call.

29.   Concerning claim 22, Giordano did not explicitly state linking to a configuration document from a link in an email. However, Giordano did disclose a description of HTML linking functionality (see column 1, lines 34-40) and accessing a web page via a link in an email was well known in the art at the time of the applicant's invention. Thus it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Giordano by adding the ability to link to a configuration document from a link in an email.

30.   Thereby, Giordano discloses:

- <Claim 9>

    A method for configuring a client computer to engage in real-time communication on the computer network, wherein a user has logged onto the network via the client computer, the method comprising: maintaining a profile for the user, wherein the profile comprises information as to how to configure the client computer to perform real-time communication on the network (column 1, lines 55-60); receiving, from a client program

executing on the client computer, a message formatted according to a real-time

communication protocol, wherein the message includes a request for the profile

(obviousness); and transmitting, over the computer network, at least part of the profile to

the client computer (obviousness).

- <Claim 10>

  A computer readable medium having stored thereon computer executable instructions for

  performing the method of claim 9 (column 4, line 66 through column 5, line 16).

- <Claim 11>

  The method of claim 9, wherein the information comprises settings that are to be used by

  the client computer in making an Internet telephony call (column 3, lines 12-24).

- <Claim 12>

  The method of claim 9, wherein the information includes settings that are to be used by

  the client computer in making a video conference call (column 1, lines 12-17 and

  obviousness).

- <Claim 13>

  The method of claim 9, wherein the information includes the name and network address

  of at least one real-time communication service provider (column 3, lines 45-51).

- <Claim 22>

  The method of claim 21, further comprising: the client computer receiving an email that

  includes a link to the configuration document; and the client computer activating the link

  in response to input from a user (column 1, lines 34-40 and obviousness).

Since Giordano discloses all of the above limitations, claims 9-13 and 22 are rejected.

31.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Giordano in view

of Rosenberg et al. (SIP Extensions for Presence Authorization), hereinafter referred to as

Presence.

32.   Giordano disclosed a method for configuring an Internet compatible telephone using

HTML pages on a website that contain configuration information. In an analogous art, Presence

disclosed a SIP extension for authorizing a client's subscription in a network.

33.   Giordano did not explicitly state receiving a subscribe message formatted according to a

session initiation protocol wherein the subscribe message identifies the user that is operating the

client computer. However, Presence defines SIP extensions for using subscribe messages and

authorizing the user of the client computer. It would have been obvious to one of ordinary skill

in the art at the time of the applicant's invention to modify the system of Giordano by adding the

ability to receive a subscribe message formatted according to a session initiation protocol

wherein the subscribe message identifies the user that is operating the client computer as

provided by Presence. Here the combination satisfies the need for the ability to determine

whether or not a subscription request will be authorized in a network. See Presence, page 2 of

10, paragraph 1. For the use of a user profile in the claim, see the above discussion of claim 9.

34.   Thereby, the combination of Giordano and Presence discloses:

- <Claim 3>

  The method of claim 1 wherein the receiving step comprises: receiving a subscribe

  message formatted according to a session initiation protocol (Presence, page 3 of 10,

  paragraph "When the...this specification."); wherein the subscribe message identifies the

user that is operating the client computer (Presence, page 2 of 10, paragraph 4) and

wherein the message includes a request for that user's profile and wherein the profile

indicates how the computer should be conducting real-time communication over the

network (Giordano, column 1, lines 55-60).

Since the combination of Giordano and Presence discloses all of the above limitations, claim 3 is

rejected.

Conclusion

35.   The prior art made of record and not relied upon is considered pertinent to the applicant's

disclosure.

- Piazza et al. (U.S. Patent Number 6,026,438) disclosed a network control system for the

  automated configuration of many individual computers and servers creating a network

  environment having a broad collection of user profiles, third party applications, and

  operating system characteristics.

- Ziese (U.S. Patent Number 6,484,315) disclosed the automatic download from a remote

  site of an update for a program in response to an automated event.

- Reisman (U.S. Patent Number 6,557,054) disclosed a method for distributing updates that

  presents a directory of available software that is not already installed for user installation.

- Schuster et al. (U.S. Patent Number 6,856,616) disclosed a method for providing service

  provider configuration for telephones in a data network telephony system.

36.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987.

The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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